

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

<b>IN RE:</b>	)	<b>CHAPTER 13 PROCEEDINGS</b>
	)	
<b>Shannon Mae Boring</b>	)	<b>CASE NO.: 10-64574</b>
	)	
	)	<b>JUDGE RUSS KENDIG</b>
	)	
	)	<b>OBJECTION TO PROOF</b>
<b>DEBTOR</b>	)	<b>OF CLAIM NO. 1 FILED BY</b>
		<b>CAPITAL ONE AUTO FINANCE.</b>

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Now comes Debtor, Shannon Mae Boring, by and through her attorney, Melissa J. Acayan, to respectfully request this court to deny in part the Capital One Auto Finance. (Capital One) claim. Capital One requests an interest rate of 14.16%. Debtor contends that this is excessive and should pay an interest rate of 5.25%.

Wherefore, Debtor prays that this objection is sustained and that the Capital One claim be denied in part and the interest rate be adjusted to 5.25%.

Respectfully submitted,

/s/ Melissa J. Acayan  
Melissa J. Acayan (0084727)  
Attorney for Debtors  
Rauser & Associates  
401 W. Tuscarawas St Ste 400  
Canton, OH 44702  
(330) 456-6505  
(330) 456-6506 Fax  
macayan@ohiolegalclinic.com

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice was electronically transmitted on or about the 9th day of December, 2010 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail List:

Melissa J. Acayan  
Toby Rosen, Trustee  
U.S. Trustee

I further certify that the following received notice by regular U.S. Mail at the specified address on the date first set forth above:

**Debtor(s)**  
Shannon Mae Boring  
13047 Weygandt Street, NW  
Canal Fulton, OH 44614

**Creditor:**  
Capital One Auto Finance  
P.O. Box 201347  
Arlington, TX 76006

/s/Melissa J. Acayan  
Melissa J. Acayan (0084727)

The Debtor has filed papers with the court objecting to your Proof of Claim.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. ( If you do not have an attorney, you may want to consult one.)**

If you do not want the Court to disallow your proof of claim, or if you want the court to consider your views on the proof of claim, then on or before January 9, 2011, or such other time fixed by the Federal Rules of Bankruptcy procedure or statute or as the Court may order, after service is filed and serve a response or request a hearing. If no response or request for hearing is timely filed with the Court and served upon Counsel for the movant, the Court may grant the relief requested in the motion without a hearing:

**File with the Court a written request for a hearing and a written response explaining your position at:**

Clerk of Courts  
United States Bankruptcy Court  
Ralph Regula Federal Building  
401 McKinley Ave. SW  
Canton, OH 44702

If you mail your request and response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

**You must also mail a copy to:**

Melissa J. Acayan  
Rauser & Associates  
401 W. Tuscarawas St  
Canton, OH 44702

Toby L. Rosen  
400 West Tuscarawas Street  
4<sup>th</sup> Floor  
Canton OH 44702

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an Order granting that relief.**

December 9, 2010

/s/ Melissa J. Acayan  
Melissa J. Acayan (0084727)  
Rauser & Associates Legal Clinic Co., L.P.A.  
Attorney for Debtor(s)

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